

FILED

Case: 09-16342 03/04/2010 Page: 1 of 1 ID: 7252710 DktEntry: 7

UNITED STATES COURT OF APPEALS

MAR 04 2010

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

SUBBAIAH MURUGESAN,

Plaintiff - Appellant,

v.

L & T GROUP OF COMPANIES, LTD.,

Defendant - Appellee.

No. 09-16342

D.C. No. 1:08-cv-00044

District of the Northern Mariana
Islands

ORDER

The appellant's opening brief was due November 16, 2009. The opening brief has not been filed. Accordingly, this case is dismissed for failure to prosecute. 9th Cir. R. 42-1. A copy of this order sent to the district court shall act as and for the mandate of this court.

The appellee's motion to dismiss is denied as moot.

For the Court:
MOLLY C. DWYER
Clerk of the Court

Teresa A. Haugen, Deputy Clerk
9th Cir. R. 27-7/Advisory Note to R. 27
and 9th Cir. R. 27-10